

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT

In the Matter of:

Case No. 15-51011

Oakland Physicians Medical Center,
L.L.C. d/b/a Doctors' Hospital of
Michigan, a Michigan limited liability company,

Chapter 11
Hon. Maria L. Oxholm

Debtor

/

Basil T. Simon, not individually but solely
in his capacity as the Liquidation Trustee of
Oakland Physicians Medical Center, LLC,
Liquidation Trust,

Plaintiff,

Adv. Proc. No. 16-05125

v.

Michael Short,

Defendant.

/

ORDER AFTER TRIAL

On February 1, 2019, the Court issued an Opinion After Trial on the single issue of whether pre-petition advances by defendant Michael Short (“Defendant”) to debtor Oakland Physicians Medical Center, L.L.C., d/b/a Doctors’ Hospital of Michigan, (“Debtor” or “the Hospital”) constitute capital contributions or debt (“Opinion”) (ECF No. 199). For the reasons set forth in the Opinion, all of which are incorporated, herein,

IT IS HEREBY ORDERED that the two Advances evidenced by executed promissory notes—the July 1, 2011 note in the principal amount of \$100,000.00 and the December 28, 2012 note in the principal amount of \$114,000.00—were loans.

IT IS FURTHER ORDERED that the remaining Advances were capital contributions.

Signed on February 01, 2019



/s/ **Maria L. Oxholm**

Maria L. Oxholm
United States Bankruptcy Judge